

March 6, 2012

7:00 p.m.

Planning Division
Council Chambers

MEMBERS PRESENT: Commissioners Jake Cordova, Brent Dixon, David Hodder, Kurt Karst, George Morrison, George Swaney, Dee Whittier and Margaret Wimborne,

MEMBERS ABSENT: Commissioners Natalie Black, Donna Cosgrove, and Leslie Polson.

ALSO PRESENT: Planning Director Renée Magee, Assistant Planning Director Brad Cramer, Recording Secretary Debra Petty and approximately three (3) interested citizens.

CALL TO ORDER: Chair Wimborne called the meeting to order at 7:02 p.m. and reviewed the hearing procedures for the public.

MINUTES: February 7, 2012. Commissioner Cordova moved to approve the minutes of February 7, 2012, as presented. Motion seconded by Commissioner Swaney. Motion passed. A nomination committee was appointed during the meeting of February 7, 2012. Nominations will be considered at the end of the meeting.

PUBLIC HEARINGS:

Conditional Use Permit for Improvements to the Japanese Garden in Sportsman Park: 2.6 Acres Sportsman Park. Cramer reviewed the staff report, a part of the record. The applicant is seeking approval of a conditional use permit for improvements to the Japanese Garden in Sportsman Park. The 1998 *Snake River Greenbelt Master Plan* envisioned Sportsman Park as unique and included plans for construction of an observation deck. The rendering included in the packet shows a shallow hatchery pond enhanced with millstones and an observation deck constructed over the existing fish runs. Today, neither the fish runs nor hatchery pond are in use. Safety measures are part of the construction plans. The Planning Department received a letter from WATCO Companies, owner of the railroad crossing the south side of the park. They are requesting barriers and signs be posted to deter public access to the railroad. The proposed improvements are 150 feet from the railroad and for many years the site has not been posted. Staff believes it is not necessary. The applicants are working with the building department to ensure compliance with building codes. Staff recommends approval.

Cramer told Wimborne there have been improvements adjacent to the railroad for many years. He did not notice any signs while on site. Dixon believes the railroad is responsible for signage and fencing on their property. He also confirmed one of the fish runs will be used as a water feature and decking will cover the rest.

The hearing was opened to the public.

Judy Seydel, 2815 W. Morningside Drive, Idaho Falls. Ms. Seydel said the exposed fish run will have plantings but requires additional fill. The hatchery basin will only be a foot deep once the fill is brought in. The location is wonderful and she encouraged all to visit the park. There were no further comments and the hearing was closed to the public.

Cordova moved to approve the conditional use permit for improvements to the Japanese Garden in Sportsman Park as presented. Motion seconded by Commissioner Dixon. Motion passed.

Annexation of 9.921 Acres: Pancheri Overpass. Magee reviewed the staff report, a part of the record. The annexation request includes the Idaho Department of Transportation (ITD) right-of-way for the Pancheri Bridge. The proposed zoning, C-1 (Limited Business), will be considered by the commission next month.. There are existing, vacant storage units that will be torn down. Pioneer Road will extend north underneath the new Pancheri Bridge and connect to the former Milligan Road.

The Planning Department received a letter from Steve Serr, Bonneville County, stating the annexation is contrary to State statute. Magee's interpretation of the statute is the City cannot annex tracts of land with the only connection being street or railroad right-of-way creating a flagpole lot. This annexation is reasonable as it connects east and west Idaho Falls, the Idaho Falls police department will be able to provide continuous law enforcement along Pancheri Drive, Idaho Falls will assume maintenance of Pancheri Drive and landscaping, the City will be able to serve the lift station, and improvement of the overpass fulfills the priority of the citizens of Idaho Falls.

Dixon expressed for the record he is not in favor of annexing property without a zoning designation. Magee said the zoning will be presented to the commission before the annexation proceeds to City Council. The portion of Pioneer Road moving east and connecting to Pancheri Drive will become an abandoned right-of-way.

The hearing was opened to the public. There were no additional comments and the hearing was closed to the public.

Commissioner Cordova moved to recommend to the Mayor and City Council approval of the annexation of 9.921 acres for the new Pancheri Overpass. Motion seconded by Commissioner Karst. Motion passed.

Miscellaneous: Commissioner Cordova moved to appoint Margaret Wimborne as chair; Donna Cosgrove as vice-chair; and Leslie Polson, Secretary. Motion seconded by Morrison. Motion passed. Wimborne asked Petty to go back to the minutes of February 7, 2012 and amend as necessary.

The meeting adjourned at 7:45 p.m.